

ASSEMBLY BILL

No. 32

Introduced by Assembly Member Salinas

December 2, 2002

An act to add and repeal Section 50517.15 of the Health and Safety Code, relating to housing.

LEGISLATIVE COUNSEL'S DIGEST

AB 32, as introduced, Salinas. Housing: farmworker housing.

The Joe Serna, Jr. Farmworker Housing Grant Program requires the Department of Housing and Community Development to make grants or loans, or both, to local public entities, nonprofit corporations, and limited partnerships for the construction or rehabilitation of housing for agricultural employees and their families. The department has specified duties relating to the operation of this program.

This bill would authorize a nonprofit corporation or limited partnership that constructs or rehabilitates farmworker housing for agricultural employees with public funds to enter into a lease agreement with an agricultural employer, as defined, for farmworker housing for a term of more than one year if the agricultural employer agrees to lease the farmworker housing to agricultural employees on the same terms and conditions, including amount of rent, that would otherwise be included in a rental agreement between the nonprofit corporation and the agricultural employees for that housing.

Vote: majority. Appropriation: no. Fiscal committee: yes. State-mandated local program: no.

The people of the State of California do enact as follows:

SECTION 1. Section 50517.15 is added to the Health and Safety Code, to read:

50517.15. (a) It is the intent of the Legislature to authorize nonprofit corporations that rent or lease farmworker housing to enter into long-term leases with agricultural employers for farmworker housing in order to improve the ability of nonprofit corporations to obtain financing for that housing.

(b) A nonprofit corporation or a limited partnership, as defined in paragraph (1) of subdivision (g) of Section 50517.5, that constructs or rehabilitates farmworker housing for agricultural employees, as defined in paragraph (1) of subdivision (g) of Section 50517.5, with public funds may enter into a lease agreement with an agricultural employer, as defined in subdivision (b) of Section 1140.4 of the Labor Code, for farmworker housing for a term of more than one year if the agricultural employer agrees to lease the farmworker housing to agricultural employees of the employer on the same terms and conditions, including amount of rent, that would otherwise be specified in a rental agreement between the nonprofit corporation or limited partnership and the agricultural employees for that housing and the following conditions are met:

(1) The total rent revenue received by the agricultural employer from the agricultural employees does not exceed the amount that the agricultural employer is required to pay the nonprofit corporation or limited partnership for the lease.

(2) The agricultural employer does not charge or collect a security deposit from an agricultural employee for the housing leased pursuant to this section.

(3) The agricultural employee has the same rights and responsibilities provided by law to a residential tenant.

(c) An agricultural employer who enters into a lease agreement with a nonprofit corporation or limited partnership for farmworker housing pursuant to subdivision (a) may enter into a sublease agreement with another agricultural employer for this housing for a term of one year or less if the agricultural employer who subleases the housing agrees to lease the farmworker housing to agricultural employees of the employer on the same terms and conditions that would otherwise be specified in a rental agreement

- 1 between an agricultural employer described in subdivision (a) and
- 2 the agricultural employees for that housing.
- 3 (d) This section shall remain in effect only until January 1,
- 4 2008, and as of that date is repealed, unless a later enacted statute,
- 5 that is enacted before January 1, 2008, deletes or extends that date.

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